



CERTIFICATE OF MAIL(37 CFR 1.8)

PATENT

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being submitted by First Class mail to the U.S. Patent and Trademark Office: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
Date: April 5, 2004

Patti Hespell
Patti Hespell

#18
4/26/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

SERIAL NUMBER 10/068,771	FILING DATE 05 FEBRUARY 2002	FIRST NAMED INVENTOR ELDERING	ATTY. DKT. NO. T742-10
TITLE TARGETED ADVERTISING IN ON DEMAND PROGRAMMING		ART UNIT 2611	EXAMINER Son P. Huynh

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Technology Center 2600

INFORMATION DISCLOSURE STATEMENT

In accordance with the provisions of 37 C.F.R. §1.97, Applicants hereby wish to make of record the references listed on the accompanying PTO Form 1449 for consideration by the Examiner in the examination of the above-identified patent application. Copies of the patent documents are enclosed.

This Information Disclosure Statement is being submitted:

- (1) within three (3) months of the filing date, entry into national phase in an international application or before the mailing date of the First Office Action; or
- (2) after the period defined in (1) above but before the mailing date of a Final Rejection or Notice of Allowance, and
 - Certification is made below, or
 - The check, or authorization to charge deposit account no. 501535, in the amount of the fee set forth by 37 C.F.R. §1.17(p) is attached.
- (3) after the mailing date of a Final Rejection or Notice of Allowance but before the payment of the Issue Fee, and
 - Applicant hereby Petitions the Commissioner to consider the attached references; Certification is made below and the fee is included.

04/09/2004 SSESHE1 00000115 501535 10068771

01 FC:1806 180.00 DA

Attached hereto is Form PTO-1449 listing documents believed to be relevant to the above-captioned application. It is respectfully requested that these documents be considered by the Examiner.

The relevance of each non-English document will be discussed as follows:

REMARKS:

These references were submitted by an unidentified third party with a Protest filed under 37CFR 1.291(a). The protest was not entered because it was filed late and without the appropriate fee.

Applicant believes that if unidentified third party believes these references are relevant that the Examiner should consider them.

This disclosure statement should not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

It is believed that this disclosure complies with the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98, and the Manual of Patent Examining Procedures § 609. If for some reason the Examiner considers otherwise, it is requested that the undersigned be contacted by telephone promptly so that any deficiency can be remedied.

Some of the documents may have markings thereon. No significance is intended to be attached to the markings.

The submission of these documents is not intended to be deemed an admission that they constitute analogous art.

CERTIFICATION

Applicant(s) certify that:

(1) Each item or reference was cited in a communication from a foreign patent office in a corresponding foreign application not more than three months prior to the filing date of the Statement; or

(2) No item or reference was cited in a communication from a foreign patent office in a corresponding foreign application or, to the knowledge of the Applicant(s), was not known more than three months prior to the filing of the Statement.

Respectfully submitted,



Douglas J. Ryder
Reg. No. 43,073

Date: 4/5/04

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APR 08 2004

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Complete if Known

Application Number	10/068,771
Filing Date	5 FEB 2002
First Named Inventor	ELDERING, et al
Art Unit	2611
Examiner Name	HUYNH, SON
Attorney/Agent/Office Number	T742,10

Attorney Docket Number T742-10

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner Signature _____ **Date Considered** _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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<i>Complete if Known</i>																							
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Application Number</td> <td colspan="3">10/168,771</td> </tr> <tr> <td>Filing Date</td> <td colspan="3">5 FEB 2992</td> </tr> <tr> <td>First Named Inventor</td> <td colspan="3">ELDERING, ET AL</td> </tr> <tr> <td>Art Unit</td> <td colspan="3">2611</td> </tr> <tr> <td>Examiner Name</td> <td colspan="3">HUYNH, SON P.</td> </tr> </table>				Application Number	10/168,771			Filing Date	5 FEB 2992			First Named Inventor	ELDERING, ET AL			Art Unit	2611			Examiner Name	HUYNH, SON P.		
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		T742-10																					

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	EI	ANONYMOUS, PROTEST UNDER 37 CFR 1.291(a); 2/13/04; 4 pps.		
	EJ	CLARIA WEBSITE, www.CLARIA.COM; 4/5/04; 5 pps.		
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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